

**AGREEMENT FOR COST REIMBURSEMENT**

**BETWEEN THE CITY OF ANKENY AND THE ANKENY COMMUNITY SCHOOL DISTRICT**

**CASCADE FALLS FIBER OPTIC PROJECT**

WHEREAS, the City of Ankeny, Iowa, hereinafter referred to as "the City", and the Ankeny Community School District, hereinafter referred to as the "the School District", and collectively hereinafter referred to as "the parties", desire to enter into an agreement pursuant to Chapter 28E and Section 422A.2 of the Code of Iowa to undertake the City of Ankeny-Cascade Falls Fiber Optic Project; and

WHEREAS, the City of Ankeny has completed the design of the Cascade Falls Fiber Optic Project and is ready to schedule the construction at this time. The said project will provide two new communication links within the Prairie Trail Development.

1. A fiber optic cable in a conduit from the intersection of SW State Street and SW Oralabor Road north and west to the new Cascade Falls Aquatic Center. This cable will be utilized by the City.
2. A fiber optic cable in a conduit from the intersection of SW State Street and SW Oralabor Road north and west to the proposed elementary school site, which will be adjacent to the Cascade Falls Aquatic Center. This cable will be utilized by the School District; and

WHEREAS, the School District has agreed to reimburse the City for the cost of the installation of the conduit and fiber optic cable as described in paragraph 2 above.

NOW, THEREFORE, IT IS AGREED between the parties as follows:

1. Undertakings of the City.

The City agrees to construct the above described Cascade Falls Fiber Optic Project in the spring/summer of 2010. The bidding documents will include unit prices for the conduit, cable, handholes and associated fixtures so that the portion of the project costs that will be paid by the School District can be itemized.

2. Undertakings of the School District.

The School District agrees to reimburse the City for the actual cost of the project attributed to the School District conduit, cable, handholes, fixtures and associated installation costs. The preliminary estimate of the School District cost is \$23,000.00.

3. Mutual Agreements Regarding Cost.

Should unforeseen costs or change orders to the project occur, the parties agree to mutually determine the need for such change orders, and the allocation of those costs. However, in

the event the City and School District are unable to reach a mutual agreement on any additional work to be performed, the party requesting the additional work shall be responsible for completing the work, and that party shall bear all costs associated with such work outside of this agreement.


4. Request for Reimbursement and Payment.

Requests for reimbursement may be made on a monthly or less frequent basis. Reimbursement requests will include supporting documentation. Upon acceptance of the project by the City, a final reimbursement request for the School District's share of the project will be submitted to the School District for payment. The School District agrees to make payments within 30 days of receipt of the request.

DATED at Ankeny, Iowa, this 4 day of JANUARY, 2010.

APPROVED:

ANKENY COMMUNITY SCHOOL DISTRICT

By 

President

APPROVED:

CITY OF ANKENY, IOWA

By \_\_\_\_\_

Mayor

ATTEST:

\_\_\_\_\_

City Clerk